

Valerie J. Armento, SBN: 78717  
Interim City Attorney  
Rafael E. Alvarado, Jr., SBN: 247904  
Assistant City Attorney  
CITY OF EAST PALO ALTO  
2415 University Avenue  
East Palo Alto, CA 94303  
Telephone: (650) 853-3100  
Facsimile: (650) 853-5923  
[varmento@cityofepa.org](mailto:varmento@cityofepa.org)  
[ralvarado@cityofepa.org](mailto:ralvarado@cityofepa.org)

Benjamin P. Fay, SBN: 178856  
Rick W. Jarvis, SBN: 154479  
JARVIS, FAY & DOPORTO, LLP  
475 - 14<sup>th</sup> Street, Suite 260  
Oakland, CA 94612  
Telephone: (510) 238-1400  
Facsimile: (510) 238-1404  
[rjarvis@jarvisfay.com](mailto:rjarvis@jarvisfay.com)  
[bfay@jarvisfay.com](mailto:bfay@jarvisfay.com)

Attorneys for Defendant  
CITY OF EAST PALO ALTO

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

PALO MOBILE ESTATES ASSOCIATES,  
a California limited partnership,

Plaintiff,

v.

CITY OF EAST PALO ALTO, a municipal  
corporation; DOES 1 through 10, inclusive,

Defendants.

CASE NO: C 07-03601 PJH

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER**

Superior Court Action Filed: June 12, 2007  
Removed to Federal Court: July 12, 2007  
Trial Date: None Set

WHEREAS, at the Case Management Conference on December 6, 2007, the Court stayed this  
matter at the request of both parties pending the outcome of the concurrent petition for a writ of

1 mandate in the San Mateo County Superior Court, Case No. CIV 467731, ("State Court Action") and  
2 continued the Case Management Conference to April 17, 2008;

3 WHEREAS, a hearing on the writ in the State Court Action was heard on April 11, 2008, but  
4 because a decision was not issued by the San Mateo County Superior Court this Court continued the  
5 Case Management Conference to June 26, 2008;

6 WHEREAS, on May 28, 2008, the San Mateo County Superior Court issued a tentative  
7 decision that would order the issuance of a preemptory writ of mandate that would direct the City of  
8 East Palo Alto to repeal certain portions of the ordinance that has been challenged in both the State  
9 Court Action and this action;

10 WHEREAS, the next step in the State Court Action will be the issuance of a Statement of  
11 Decision, followed by a Judgment, and then a Writ;

12 WHEREAS, following the service of Notice of Entry of the Judgment in the State Court  
13 Action, either party will have 60 days to file a Notice of Appeal of the judgment.

14 THEREFORE, the Plaintiff PALO MOBILE ESTATES ASSOCIATES and the Defendant  
15 CITY OF EAST PALO ALTO hereby stipulate and respectfully request through their respective  
16 counsel that the stay in this action be continued and that the Case Management Conference currently  
17 scheduled for June 26, 2008 at 2:30 p.m. be continued to October 16, 2008 at 2:30 p.m and that a  
18 further Case Management Conference Statement shall be filed by October 9, 2008.

19 IT IS SO STIPULATED:

20 Dated: June 11, 2008

GILCHRIST & RUTTER

21  
22 By: /s/ Thomas W. Casparian  
Thomas W. Casparian  
23 Attorneys for Plaintiff  
PALO MOBILE ESTATES ASSOCIATES  
24

25 Dated: June 11, 2008

JARVIS, FAY & DOPORTO, LLP

26  
27 By: /s/ Benjamin P. Fay  
Benjamin P. Fay  
28 Attorneys for Defendant  
CITY OF EAST PALO ALTO

**ORDER**

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

The Case Management Conference in this case that is currently set for June 26, 2008 at 2:30 p.m. shall be rescheduled to October <sup>2</sup>~~16~~, 2008 at 2:30 p.m.

A Case Management Conference Statement shall be filed by ~~October 9~~ September 25, 2008.

DATED: 6/16/08

